

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DEBBIE HOLLAND,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of
Social Security,

Defendant.

CASE NO. C09-5574JRC

ORDER

The Court, having reviewed the record, does hereby find and ORDER:

(1) On February 5, 2010, the undersigned reviewed the matter and directed plaintiff to file proof that the Complaint had been properly served on the proper parties. The court specifically explained that a copy of the Complaint along with a summons needed to be served on the following three individuals or entities: (a) the United States attorney for the district in which the action is brought or to an assistant United States attorney or clerical employee designated by the United States attorney in a writing filed with the clerk of the court or the civil process clerk at the office of the United States attorney; (b) the Attorney General of the United States at Washington, District of Columbia; and (c) the officer or agency. *See* Doc. 3.

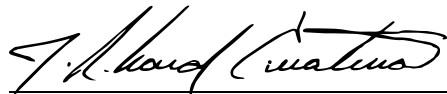
1 (2) In response, the Clerk received three separate documents indicating plaintiff has
2 served the Complaint. Docs. 4, 5, & 6. Unfortunately, the proof of service is deficient. Plaintiff
3 has shown she has properly served the local U.S. Attorney and the local officer and agency (the
4 regional Office of General Counsel for the Commissioner, Michael Astrue, but plaintiff has not
5 served the matter upon the U.S. Attorney General.
6

7 (3) Rule 4(i)(B) requires plaintiff to serve a summons and copy of complaint on the
8 Attorney General of the United States at Washington, District of Columbia. This may be
9 accomplished by certified or registered mail and should be sent to the following: United States
10 Attorney General. Constitution Avenue & 10th St., N.W., Washington, D.C. 20530.

11 (4) Rule (4)(m) requires the court to provide notice to the plaintiff before the matter
12 can be dismissed for lack of prosecution under that rule. Accordingly, plaintiff is hereby notified
13 that proof of service, curing the deficiency noted above, must be filed with the court **by not later**
14 **than May 17, 2010**. Otherwise, the court will recommend dismissal of this case for failure to
15 prosecute the matter.
16

17 (5) The Clerk is directed to send copies of this Order to plaintiff and all counsel of
18 record that have appeared. In addition, the Clerk should prepare and send a summons in blank to
19 plaintiff to enable her to accomplish service of the complaint as described above.
20

21 DATED this 30th day of April, 2010.

22
23 

24 J. Richard Creatura
25 United States Magistrate Judge
26